

TAB 5

Atomic Energy Commission-proposed amendments to section 145 of the Atomic Energy Act.

"c. Notwithstanding the provisions of subsections a. and b. of this section, the Commission may permit access to Restricted Data for any individual who possesses or has possessed a security clearance granted by another Government agency: PROVIDED, HOWEVER, That such security clearance is or was based upon an investigation and report furnished to the Commission on the character, associations, and loyalty of such individual made by a Government agency which conducts personnel security investigations pursuant to statutory or Presidential authorization; AND PROVIDED FURTHER, That the Commission shall have determined that permitting the individual to have access to Restricted Data will not endanger the common defense and security.

"d. In the event an investigation made pursuant to subsections a. and b. of this section develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty, the Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Civil Service Commission for its information and appropriate action.

"e. If the President deems it to be in the national interest he may from time-to-time cause investigations of any group or class which are required by subsections a., b. and c. of this section to be made by the Federal Bureau of Investigation.

"f. Notwithstanding the provisions of subsections a., b. and c. of this section, a majority of the members of the Commission shall certify those specific positions which are of a 'high degree of importance or sensitivity' and upon such certification the investigation and reports required by such provisions shall be made by the Federal Bureau of Investigation instead of by either the Civil Service Commission or another Government agency which conducts personnel security investigations pursuant to statutory or Presidential authorization.

"g. The Commission shall establish standards and specifications in writing as to the scope and extent of investigations, the reports of which will be utilized by the Commission in making the determination, pursuant to subsections a., b. and c. of this section, that permitting a person access to Restricted Data will not endanger the common defense and security. Such standards and specifications shall be based on the location and class or kind of work to be done and shall among other considerations take into account the degree of importance to the common defense and security of the Restricted Data to which access will be permitted." (The underlined material has been added and the bracketed material was deleted in the version of the proposal submitted to the Bureau of the Budget.)